

Serial No.: 10/016,161  
Amdt. Dated Dec. 4, 2003.  
Reply to Office action of Sept. 9, 2003.

RD26440-5

### REMARKS

In the Office Action of Sept. 9, 2003, claims 25 – 35 were rejected. In this response, claims 25 and 36 have been amended. Claims 25 – 36 remain pending in the application. In accordance with 37 CFR 1.121 (f) no new matter has been added.

#### 35 U.S.C. § 112 Rejections

The Examiner has rejected claims 25 – 35 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of the invention. The Examiner pointed out that claim 25 lacked “express antecedent basis” for the phrase “carbonate and ester units”. In response, the Applicant has amended claim 25 to recite the term “oxycarbonyl group” instead of “carbonate and ester units”. Those skilled in the art will appreciate that the term “oxycarbonyl group” embraces both “carbonate” and “ester” units.

Although the Examiner allowed originally filed claim 36, the Applicant has amended claim 36 to recite “to afford a copolymer comprising carbonate units” in order to provide antecedent basis for the final phrase of the claim, “thus hydrolyzing carbonate units”. The Application on page 10 lines 1-12, page 11 lines 5-12 and elsewhere provides ample antecedent basis for adapting claim 36 to recite the phrase “to afford a copolymer comprising carbonate units”.


Especially as amended, claims 25 – 36 are definite and distinctly claim the subject matter of the invention. Therefore, the Applicant respectfully requests that the rejection of claims 25 – 35 under 35 U.S.C. § 112, second paragraph, be withdrawn.

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In view of the foregoing amendments and arguments, the Applicant believes that each of claims 25 -36 is now in condition for allowance. The Applicant thus courteously solicits a review of the proposed amendments and prompt allowance of these claims. Should the Examiner believe that anything further is needed to place the application in even better condition for allowance, the Examiner is requested to contact the Applicant's undersigned representative at the telephone number below.

Respectfully submitted,

  
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